

Maryland Judiciary Furlough and Temporary Salary Reduction, and Reduction in Grant/Subsidy Plan

Frequently Asked Questions

What is a furlough?

A furlough is the placement of an employee in a temporary non-duty, non-pay status for budget-required reasons.

A furlough may be taken on an employee's regularly scheduled workday in increments as small as four hours.

What purpose does a furlough serve?

A furlough permits the Judiciary to continue essential public services and functions while saving funds necessary to balance the State budget.

Who is affected by the furlough plan?

All regular, contractual and temporary employees who are paid by the Central Payroll Bureau of the State Comptroller of Government who earn \$40,000 or more annually are affected by the furlough plan.

What is a "temporary salary reduction"?

A temporary salary reduction is an across-the-board adjustment to affected rates of pay for a specified period of time.

Who is affected by the temporary salary reduction plan?

All regular, contractual and temporary employees, including law clerks and judicial appointees who are paid by the Central Payroll Bureau of the State Comptroller of Government are affected by the salary reduction plan.

What purpose does the Reduction in the Grant/Subsidy Plan serve?

As part of its cost reduction initiative, the Judiciary will reduce its grant/subsidy funding in support of court positions.

Who is affected by the Reduction in the Grant/Subsidy Plan?

Court personnel and appointees in positions that are wholly or partially supported by grants or subsidies from the Judicial Branch.

Are county-paid Judicial Masters affected by *the Furlough and Temporary Salary Reduction and Reduction in Grant/Subsidy Plan*?

Yes.

When will the furlough and temporary salary reductions be initiated?

A temporary reduction in salaries will occur over ten pay periods, starting with the pay period that begins on February 11, 2009 (pay date March 4, 2009) and ending on June 30, 2009 (pay date July 8, 2009).

For employees required to take eight or more furlough hours, these furlough hours may be taken with supervisory approval between January 14, 2009 and June 30, 2009, in increments as small as four hours.

Is the Judiciary “shutting down” on December 26, 2008 and January 2, 2009?

Yes, with certain limited exceptions. All employees will be paid administrative leave for those two days unless otherwise required to work.

What if an employee is required to work on December 26, 2008 and January 2, 2009?

If an employee is required to work on one of these two days, then the employee will be paid for the time worked and the employee will be granted an amount of administrative leave equal to the amount of time worked, to be used before July 1, 2009.

Will new hires be affected by the furlough?

Anyone who is hired during the furlough period shall be required to participate in the furlough plan. The number of hours that the employee will be furloughed is to be determined by the employee's starting salary and the number of hours furloughed will be pro-rated based on the start date.

Will State transfer employees be affected by the furlough?

An employee transferring from any other State branch of government will receive credit for any furlough hours taken prior to their transfer and will complete their furlough requirement, if not already completed.

How will it be determined how many hours each employee must be furloughed?

The number of furlough hours taken by an employee will be determined by gross annual salary, not including overtime or shift differentials. In order to determine how many furlough hours an employee will be required to take, the salary figure that should be used is the rate of regular pay that the employee receives on January 14, 2009.

How will employees serving in acting capacity be impacted by furloughs?

Furlough time for employees receiving acting capacity pay will be based on the employee's regular rate of pay.

May an employee substitute eight furlough hours for a paid holiday or a pre-scheduled holiday?

No, paid holidays may not be used as furlough days.

May employees use furlough hours on a scheduled day off due to a compressed workweek schedule?

No. Employees on an alternate work or compressed workweek schedule must schedule furlough hours on regularly scheduled work days. Work schedules may be adjusted to accommodate the scheduling of furlough hours.

Will the Plan affect an employee's health benefits?

No. The employer and employee share of health benefits premiums will remain the same during the time frame that the Plan is in effect. The State will continue to make the same premium contribution and an employee's deductions will be processed in the normal fashion for any week in which an employee has a furlough day.

Will an employee's leave accrual rates be affected by the Plan?

No. Neither a furlough nor a temporary salary reduction will have any impact on leave accrual rates.

How will the Plan impact an employee who is on Family and Medical Leave Act (FMLA) qualifying leave?

Typically, an employee on FMLA-qualifying paid leave will not be required to take furlough hours during the absence. Once the employee has exhausted paid leave, furlough hours may be taken concurrent with unpaid FMLA-designated leave.

If an employee's FMLA-qualifying leave is scheduled to end after June 30, 2009, the employee may be required to substitute furlough hours for paid leave during the FMLA-qualifying period of absence.

Can an employee on paid military leave be scheduled for furlough?

No. Employees on paid military leave may not be scheduled for furloughs but may be furloughed if returning to full State employment prior to June 30, 2009.

Can an employee work overtime in a week in which the employee takes furlough hours?

No. Furlough time is considered work time for the purposes of calculating eligibility for overtime. Therefore, supervisors should not permit an employee to work overtime in a week in which furlough time is taken. Permitting an employee to earn overtime during a week in which the employee takes furlough hours would reduce the savings achieved by the furlough.

May an employee substitute paid leave (annual, personal or sick leave, or compensatory time) for furlough hours?

No. An employee may not substitute paid leave or compensatory time earned for furlough hours.

May an employee request a furlough day before or after a paid State holiday or in conjunction with paid leave?

Yes, an employee may request to take furlough hours before or after a paid State holiday and this will not affect payment for the holiday. Additionally, an employee may take furlough hours in conjunction with other forms of paid leave.

May an employee work when scheduled off due to the furlough?

An employee may not work when scheduled off due to the furlough. In the event of an emergency, the employee's appointing authority may revoke a furlough day and the employee shall be paid for work performed on that day. However, the employee will be required to take the furlough on some other day prior to June 30, 2009.

May an employee take off partial days or does furlough time have to be taken in full-day increments?

An employee may take furlough time in increments of four hours.

How does an employee request to take required furlough time?

In order to maximize coverage and ensure uninterrupted service, each employee must obtain supervisory approval to take off in the same manner that an employee would for any other absence.

What happens if a person leaves State service during the period February 11, 2009 and June 30, 2009, before taking the appropriate number of furlough hours?

If an employee leaves State service during this period, no action is necessary to recoup any remaining reduction in pay or furlough hours.

Does an employee have grievance rights regarding the furlough or temporary salary reduction?

No.

Still have questions? Send an email to askhr@mdcourts.gov